News-item Captioned "Legal Holidays slow Wheel of Justice"

94. SHRI KARNENDU BHATTACHARJEE:
SHRI P. PRABHAKAR REDDY:
SHRI RAMDAS AGARWAL:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news-item captioned "Legal holidays slow wheel of justice" published in the Hindustan Times, dated 25th June, 2001;

(b) if so, Government's reaction thereto; and

(c) the steps proposed to be taken to address the problems highlighted in the news-item so as to expedite the slow moving judicial process in the country?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITELY): (a) and (b) Yes Sir. The Estimates Committee (8th Lok Sabha) on the Ministry of Law and Justice (Department of Justice) had desired a review of working days in the Supreme Court/High Courts. The examination revealed that all High Courts were normally having 210 working days in a year. Thereafter the question of working days was examined at different intervals. The matter was also referred to the Chief Justice of India on 25.6.86. The Chief Justice of India informed that the Supreme Court was already working for 220 days but the full Court had decided to add two more working days. The views of the Chief Justice of India were communicated to the High Courts. Most of the Chief Justice were of the view that 210 working days were alright and no change was called for as Judges put in extra work in their chambers or at their residence. This was also resolved in the Chief Justices' Conference held in 1987. The Department of Justice has recently requested all High Courts and State Governments to re-examine the annual vacations and working days in High Courts. Working days in the District/subordinate Courts are regulated by the High Court.

(c) Various steps have been taken by the Government to speed up

the slow moving judicial process in the country. These include filling up of vacancies of judges, simplification of rules and procedures on the basis of advice and recommendations of expert bodies, like the Law Commission, the Malimath Committee etc. Government have sanctioned an amount of Rs. 502.90 crore for creation of 1734 Fast Track Courts for expeditious disposal of cases involving undertrials on priority.

Holidays in Judicial Fraternity

95. SHRI K. RAHMAN KHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that judicial fraternity in India gets more holidays than any other Government Department;

(b) if so, the number of holidays enjoyable by judicial officers *vis-a-vis* Government officials;

(c) whether it is also a fact that a former Chief Justice of India had ruled that High Courts should function for at least 210 days a year; and

(d) if so, what steps are proposed to be taken in view of the mounting arrears of cases pending disposal?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITELY): (a) to (c) The Government offices having five working days per week, enjoy seventeen Gazetted holidays and two restricted holidays in a year.

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